

BLAKE & GUBLER RD

8900 N ST

TOPAZ ESTATES

KATHIE'S ACRES

TOPAZ RD

DIAMOND VALLEY ACRES

SAPPHIRE TR

AMETHYST DR

JADE DR

SAPPHIRE DR

SCHOOL RD

DIAMOND VALLEY DR

PARADISE ESTATES

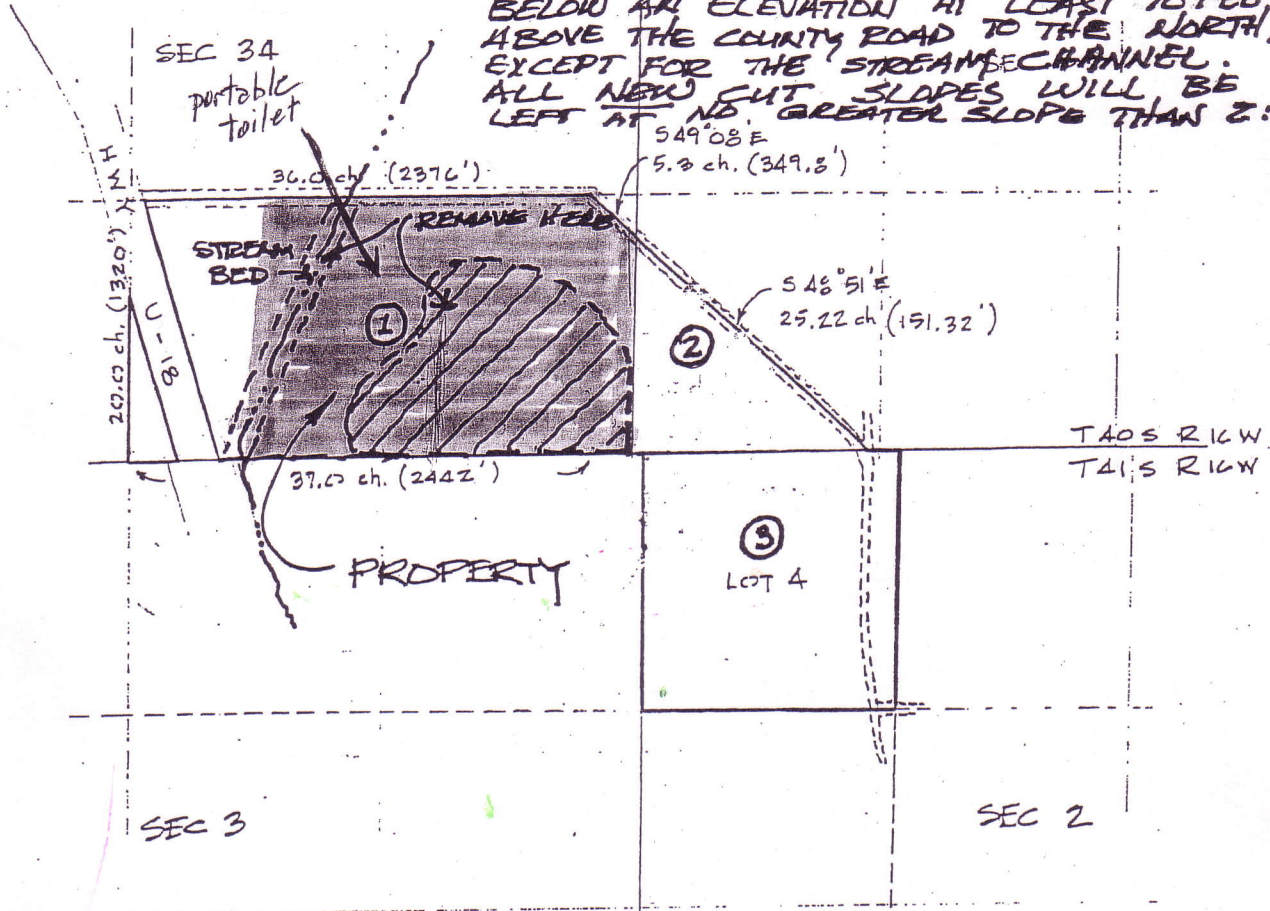
SNOW CANYON STATE PARK

1

1.5 Miles

EXHIBIT A

WE PROPOSE TO REMOVE MATERIAL FROM THE X-HATCHED AREA OR FROM THE STREAM CHANNEL ONLY. WE WILL NOT EXCAVATE BELOW AN ELEVATION AT LEAST 10 FEET ABOVE THE COUNTY ROAD TO THE NORTH, EXCEPT FOR THE STREAM CHANNEL. ALL NEW CUT SLOPES WILL BE LEFT AT NO GREATER SLOPE THAN 2:1.



SCALE: 1" = 1000'

PARCEL NO. 1

Lot 4, Section 2, Township 41 South, Range 16 West, Salt Lake Base and Meridian,

LESS AND EXCEPTING therefrom any portion lying within Highway U-18.

PARCEL NO. 2

BEGINNING at a point West 3.0 chains from the Southeast Corner of Section 34, Township 40 South, Range 16 West, Salt Lake Base and Meridian, and running thence West 37.0 chains; thence North 20.0 chains; thence East 36.0 chains, thence South 49°08' East 5.30 chains; thence South 14.40 chains; thence West 3.0 chains; thence South 2.20 chains to the point of beginning.

LESS AND EXCEPTING therefrom any portion lying within Highway U-18.

PARCEL NO. 3

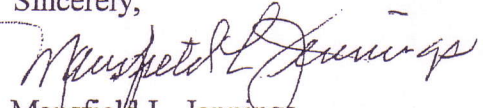
BEGINNING at a point North 2.20 chains from the Southwest Corner of Section 35, Township 40 South, Range 16 West, Salt Lake Base and Meridian, and running thence North 14.40 chains; thence South 48°51' East 25.22 chains; thence West 15.99 chains; thence North 2.20 chains; thence West 3.0 chains to the point of beginning.

Theta Investment Company, Inc.
335 E. St. George Blvd #301
St. George, UT 84770

Washington Co. Planning Commission
195 E. Tabernacle
St. George, UT 84770

We own a parcel of land in Diamond valley Serial # 7219SW. State Tax area No. 3288. This has been an established material pit for many years. We have entered into an agreement with Diamond Valley Sand and Gravel to set up a crushing and screening operation on our property. Our agreement is for approximately one year but may be extended. They have our authorization to get the necessary permitting to proceed. Any help you can give them will be greatly appreciated.

Sincerely,


Mansfield L. Jennings
President

**Washington County Planning Commission Meeting
February 27, 2007**

Item # 6. CONDITIONAL USE PERMIT. Request permission for a gravel crushing operation within the OST-20 zone in an existing pit along Hwy. 18 in the Diamond Valley area of the County. Diamond Sand & Gravel/Kirk Bastian, applicant.

The planner explained that the applicant is leasing the property for a period of one year for a gravel operation. Signatures have been obtained from the owner of the property, who is in approval of this permitting process. This is an existing gravel pit with a grandfather status. Access for ingress and egress is an existing County Road, which is 8500 North, and that intersects Hwy. 18. Sanitation needs will be provided by a "Porta Potty" company and water will be piped to the property for dust control. There are no existing buildings on the property, so the applicant proposes to place a temporary office trailer in the proximity of the stock pile and scales area. A security light will be installed near the temporary office that will provide lighting for the equipment and office. Their operating hours will be from 7:00 a.m. to 5:00 p.m.. The number of haul trucks will depend on the success of the gravel business and the requirements for gravel in the County. An approximate number would be twelve (12) trucks per day. The applicant is in contact with MSHA and EPA on portable crushing and screening equipment that will be reviewed and monitored when it is in place. This is located within the OST-20 zone, with mining and mineral development being conditionally approved. The General Plan suggests those provisions for reclamation of mining and mineral development areas be a part of their plan.

Kirk Bastian, applicant, said that there are reclamation plans in place, but they do not anticipate a huge impact as the area has been mined before, and there will be no steep cuts or slopes. There will be scales on the site. The applicants will use the north entrance.

There was a discussion regarding ownership of the property. The Jennings family owns about one hundred thirty-one (131) acres total. Approximately fifty-two (52) were sold. The applicant will use the remaining seventy-nine (79) acres, and hopes to be there as long as possible.

Dana Truman, Sunroc, said that there is a section of the pit area that was believed to be owned by the Jennings, but is County owned.

Mr. Patterson explained that the County has made transfer of ownership of that property to the Jennings family.

Mr. Patterson advised the commissioners to make sure that a letter from the new owner is available as a condition of approval.

Motion was made by Commissioner Balen to recommend approval of the Conditional Use Permit, for a period of one (1) year, based on the following conditions: the trucks will be covered; trucks will only run between 9:00 a.m. - 3:00 p.m.; any ownership changes will be sent to Staff; the applicant will abide by EPA requirements; the applicant will use the north access to Hwy. 18; and that scales will be used to protect the weight of the trucks. Commissioner Everett seconded the motion. Four (4) commissioners voted Aye. The motion carried.

**Washington County Planning Commission Meeting
February 26, 2008**

Item #4. CONDITIONAL USE PERMIT EXTENSION. Review extension for a gravel crushing operation within the OST-20 zone in an existing pit along Hwy. 18 in the Diamond Valley area of the County. Diamond Sand & Gravel/Kirk Bastian, applicant.

The planner explained that this is an automatic annual review. The applicant is leasing the property for a period of one year for a gravel operation and signatures have been obtained from the owner of the property, who is in approval of this permitting process. The gravel pit is existing, with a grandfather status. Access for ingress and egress is an existing County Road, which is 8500 North, and that intersects Hwy. 18. Sanitation needs will be provided by a "Porta Potty" company and water will be piped to the property for dust control. There are no existing buildings on the property, so the applicant was going to place a temporary office trailer in the proximity of the stock pile and scales area. A security light was installed near the temporary office that will provide lighting for the equipment and office. Their operating hours will be from 7:00 a.m. to 5:00 p.m.. As reported previously, the number of haul trucks will depend on the success of the gravel business and the requirements for gravel in the County. An approximate number would be twelve (12) trucks per day. The applicant is in contact with MSHA and EPA on portable crushing and screening equipment that will be reviewed and monitored when it is in place. This is located within the OST-20 zone, with mining and mineral development being conditionally approved. The General Plan suggests that provisions for reclamation of mining and mineral development areas be a part of their plan.

Kirk Bastian, applicant, explained that the business has been very slow. The crusher was used for only forty (40) days last summer and then removed. There is a loader currently on site. Porta Potties are located on site during times of crushing and hauling. Sixty-five hundred (6500) tons of rock are still there, and if there are more jobs, the intent is to do more crushing and hauling. Mr. Bastian said that he is hoping that the new LDS Church being constructed in Diamond Valley will need his services.

Motion was made by Commissioner Balen to recommend approval for a Conditional Use Permit Extension for a gravel crushing operation in an existing pit along Hwy. 18 in the Diamond Valley area of the County, for a period of one (1) year, subject to continued compliance with terms of the original approval, including porta-potties on site and adhering to MSHA regulations. Commissioner Cropper seconded the motion. Four(4) commissioners voted Aye. The motion carried.